

California State Department of Social Services (CDSS)
ICWA WORKGROUP
January 13, 2015 • 1:00pm to 3:30pm
Hosted by CDSS ♦ 744 P Street, Conference Room 8-235/237
Sacramento, CA 95814

Meeting Notes

SUMMARY OF ACTION ITEMS
<ol style="list-style-type: none">1. CDSS' Outcomes & Accountability Bureau to organize a meeting the day before or after the May workgroup meeting so that all can participate in the discussion regarding federal review requirements to ensure all counties are doing the same thing.2. CDSS to revise TCPC work plan/schedule and email out to TCPC members.3. Workgroup members were requested to send a list of questions or FAQs to Vevila Hussey to help form the policy that will be coming out.4. It was requested that CalSWEC be invited to our workgroup meeting to talk about the new curriculum so that the workgroup's issues can be relayed and discussed. <i>[DONE.]</i>5. Liz DeRouen will contact CDSS with information on hosting tribe for conference.

Welcome/Introductions

Review Agenda and Minutes: Liz DeRouen chaired this meeting. Participants and callers introduced themselves to the group.

Tribal News/Additions to Agenda: Per Liz, the Tribal Caucus requested to add the following topics for discussion after the CDSS Updates: Qualified Expert Witness (QEW) overview, Interstate Compact on the Placement of Children (ICPC) with regard to Tribally Approved Homes (TAHs) and background checks. They would also like to move the discussion for TAHs/Out-of-State Tribes to the SB 1460 Tribal Background Checks discussion. *[Note: QEW overview and ICPC discussion did not occur due to lack of time on the agenda.]*

Follow-up on November Action Items: Action items from the November meeting were reviewed and a status update was provided during the meeting updates regarding those still in progress.

CDSS Updates

Division 31 Regulations: Teresa Contreras and Elizabeth Sandoval provided this update. Teresa mentioned that she provided background on the process at the last meeting she attended. All regulations need to be processed and reviewed through our Office of Regulations Development (ORD) before they are forwarded to the Office of Administrative Law (OAL) for a courtesy review. Some of the more recent changes included a few critical items (e.g., that passage of SB 1460 in 2014). Some words needed to be changed (e.g., "shall" and "must") in areas that mandate what a social worker is required to do. Proposed regulations will be sent to the workgroup in advance before they become final. Tom Lidot asked: How are we accountable for the "shalls" and "musts"? Teresa said that there need to be discussions with CalSWEC regarding training social workers on what is required. They should also work with the Judicial Council to see if the right things are being required in the courts. Need to make

sure the social workers have up-to-date regulations, but should discuss with CalSWEC regarding training on the new regulations. They are so expansive that some overview of the new regulations may be recommended. Liz asked: How does it relate to other areas of compliance and how does it affect the data that comes in to the system?

Children and Family Service Plan (CFSP): Dave McDowell provided this update. The CFSP was approved in October 2014. Feedback received included concerns of the lack of alignment with the Child and Family Services Review (CFSR). The ACF wants to more tightly integrate. So, next APSR will form the basis for our federal assessment in 2016. CDSS will pay more attention to this APSR more than others because it is setting the stage for our PIP. The ACF wants more input from various groups. Many tribal pieces are included besides ICWA compliance. All counties will be expected to do qualitative case reviews. They will have a vehicle to be able to collect information, such as what active efforts are being made. CDSS is required to provide our plan (the CFSP) to the feds, and we have to report our progress annually (via the APSR). Counties develop their SIPs and PIPs. These are federal outcome measures, not state measures. They are about permanency, connections with the family...not necessarily ICWA compliance. One mechanism to look at ICWA compliance might be through The Data Committee. It was suggested that we develop a smaller subcommittee outside of the workgroup to discuss the requirements of the federal review to ensure that all counties are doing the same thing. Teresa Contreras recommended that Dave's bureau put together a meeting the day before or after the workgroup so that all can participate in the discussion.

ACTION 1: CDSS' Outcomes & Accountability Bureau to organize a meeting the day before or after the May workgroup meeting so that all can participate in the discussion regarding federal review requirements to ensure all counties are doing the same thing.

CDSS Tribal Consultation Policy Development: Scott Stevens provided this update. Last face-to-face meeting was October 28th. Smaller groups within the committee worked on certain policy elements. Appropriate language has had to be developed that fits how the CDSS policy will be used. CDSS is hoping to clean up the language within the next couple of weeks. After it is vetted with executive management of CDSS, it needs to then be vetted through our parent agency (California Health and Human Services Agency). We agreed to let the committee have an entire month to review and share with their tribal councils so they can bring back from their counsels to the full committee. We will need to revise the TCPC work plan and schedule. Funding has been secured to reimburse TCPC members only through the end of March 2015. Liz DeRouen recommended that we get a brief email out to explain the process and give an updated approximate timeline as to what everyone can expect and when things will get done. CDSS will send out a Doodle poll so we can select our next TCPC meeting. Frank Canizales mentioned that we have an opportunity to apply with NICWA to do a presentation on the TCPC process that others could use as a model. We should know by Feb 15th if our proposal has been accepted by NICWA or not.

ACTION 2: CDSS to revise TCPC work plan/schedule and email out to TCPC members.

Resource Family Approvals (RFA) Program: Karen Gunderson provided this update. This is a new process for approving caregivers for children in foster care. There would be one approval for families rather than subsequent approvals being needed later. Liz DeRouen expressed her concern about Tribally Approved Homes (TAHs). Karen explained that the

TAHs process is undergoing changes because of the new law (SB 1460). She expressed that there needs to be a deeper understanding of what the workgroup wants the process to look like. It is important to make the child's tribe knows what resources are available to them. Scott Stevens explained that this situation is not unique to California. Margaret Orrantia said that the State of Washington has some models regarding dealing with out-of-state tribal children. It was suggested to involve the urban Indian programs (e.g., BACAIR) to help advocate for out-of-state and urban Indians and those that do not have a "tribal" voice.

Draft ACIN on Tribal Background Checks (SB 1460): Karen Gunderson provided this update. Karen shared copies of a draft ACIN regarding SB 1460 and background checks for TAHs. It is important to note that this is not mandatory for tribes...only optional. Later there will be an ACL that will explain what counties need to do. Karen requested that participants send a list of questions (FAQs) to Vevila Hussey to help form the policy that will be coming out. Vevila said that tribes are advised not to apply at this time because the FBI is not ready.

ACTION 3: Workgroup members were requested to send a list of questions or FAQs to Vevila Hussey to help form the policy that will be coming out.

Training for Tribes on State Child Welfare Services: Karen Gunderson provided this update. She had a conversation with folks at the last ICWA Conference (2014) about allowing access to CORE or having another shorter version to make it relevant to tribal workers. Tom Lidot expressed that training needs to be unbiased because there is still bias when social workers are dealing with tribal children. Tom asked if it is possible to have CalSWEC come to a workgroup meeting and talk about the new curriculum so that the workgroup's issues can be relayed and discussed. It may be necessary to establish subcommittees to discuss these kinds of items.

ACTION 4: It was requested that CalSWEC be invited to our workgroup meeting to talk about the new curriculum so that the workgroup's issues can be relayed and discussed. *[DONE; on March agenda.]*

Transition Services: Theresa Thurmond provided this report. Interest in this topic came from the last meeting. A more in-depth presentation will be done at the next meeting. Theresa provided a handout that was included in the meeting packet. There was an error in the email address for Theresa on the handout. It should be: theresa.thurmond@dss.ca.gov.

Judicial Council of California Update

Due to the lack of time, this item was not covered at this meeting.

County Updates

Due to the lack of time, this item was not covered at this meeting.

Child Welfare Core Practice Model

Stuart Oppenheim provided a very brief report since time ran out on the agenda. They will send out the materials and a PPT was sent out to the workgroup today.

Attorney General Holder Announces ICWA Initiative

Due to the lack of time, this item was not covered at this next meeting.

Tribally Approved Homes and Out-of-State Tribes

This was covered earlier in the meeting during the RFA discussion.

Pre-Planning for 2015 ICWA Conference and Solicitation for Tribal Host

Establish Planning Committee – Northern Region: Liz De Rouen said there are two tribes they are looking at. Information will be sent to CDSS in the next couple of weeks. Scott recommended an event planner.

The next Annual State ICWA Conference is set to be held in the northern region in 2015.

ACTION 5: Liz DeRouen will contact CDSS with information on hosting tribe for conference.

Next ICWA Workgroup Meeting Discussion

Topics for Next Agenda: The next workgroup meeting is set for March 10, 2015 and will be hosted by a Southern Region tribe. Exact location will be determined before the March meeting. Suggested items for the next workgroup meeting are: Transitional Services (25-minute PPT), Qualified Expert Witnesses.

Other Issues

Adjournment

The meeting adjourned at 3:42 p.m.